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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2013-29**

13 **VICTOR OCHIENG ADERA**
14 **25695 Horado Lane**
Moreno Valley, CA 92551

A C C U S A T I O N

15 **Registered Nurse License No. 642223**

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
22 of Consumer Affairs.

23 2. On or about August 4, 2004, the Board of Registered Nursing issued Registered
24 Nurse License Number 642223 to Victor Ochieng Adera (Respondent). The Registered Nurse
25 License was in full force and effect at all times relevant to the charges brought herein and will
26 expire on February 28, 2014, unless renewed.

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1 **CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct on June 11, 2011)**

3 8. Respondent has subjected his license to disciplinary action under section 2761,
4 subdivision (a) of the Code for unprofessional conduct that is substantially related to the
5 qualifications, functions, and duties of a registered nurse pursuant to California Code of
6 Regulations, title 16, section 1444, subdivision (a). The circumstances are as follows:

7 a. Shortly after midnight, on or about June 11, 2011, Respondent was at a
8 Pasadena nightclub when he got into an altercation with a group of people. According to multiple
9 witness statements, Respondent poured beer over the head of a female patron, grabbed her by the
10 hair, and hit her on the head with beer bottles. The victim, a 33-year-old woman, left the club
11 with her friends to seek assistance. The victim was transported to a local hospital and treated for
12 lacerations to her head.

13 b. Respondent was arrested for assault with a deadly weapon. As a result of
14 Respondent's arrest, charges were filed with the Los Angeles City Attorney's Office. On or
15 about December 15, 2011, in a criminal proceeding entitled *People of the State of California v.*
16 *Victor Ochieng Adera*, in Los Angeles County Superior Court, case number 1PS01661,
17 Respondent paid the victim restitution in the amount of \$10,000. The criminal proceedings were
18 then suspended, and Respondent was discharged pursuant to Penal Code sections 1377 and 1378.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 642223, issued to Victor Ochieng Adera;

2. Ordering Victor Ochieng Adera to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: July 10, 2012

Stacie Bern
for LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

SD2012703438